

1894-014 Chancery Causes: Allen Stephenson & Co] vs W. C. Herndon & Co.
Lee Co.

Allen, Stephenson, Boyd, Stapleton, Woodward, Parsons

CA-Debt
T-Property

-Deed

To the Hon. N. S. K. Marrison, Judge of the
Circuit Court for La. County:

Humbly complying your orders John
M. Allen, Robt J. Stephenson & Mrs. S. P. Boyd
partners in Trade under the style & firm of
Allen, Stephenson, & Co. respectfully represents
unto your honor that at the special instance
and request of W. C. Menden a merchant
doing business there in the County of La.
your order sold to him the said Menden
a quantity of goods, wares, & merchandise
amounting to the sum of \$33⁰⁰ on the
8th day of Nov. 1893. & which became due
& payable on the 8th day of December
1893. from which time your order claims
interest; that at the direction of the
said W. C. Menden all of said goods
were shipped to Summerton Gop. in his
the said Menden's name; that at
the time your order sold said Menden
said goods the records in the
County Court Clerk's office showed
him the represented himself to be the
owner of a large quantity of un-
incumbered land lying and
being in the County of La. & State of Ark. and
in the State & Crossbarred country,
land of which he, the said W. C. Menden
purshased from the heirs of Charles Summerton
Dead, John B. Summerton & Larkin Sum-
merton, Tobias Dagher & wife, and
John C. Stephenson & wife, and all of which

He was then in the possession of, using and occupying as his own. Copies of the deeds to the land which he, at the time your order's debt was contracted, represented himself to be the owner of are here filed, marked and prayed to be considered as part of this bill.

Your order will further show unto your honor that a portion if not all the said goods sold by your order to the said Stender, together with about 40 head of cattle, a waggon & team, the goods in his store house at the time & other goods purchased about the same time he purchased from your order from other wholesale merchants were turned over to his father Larkin Stender & his brother John P. Stender on or about the 10th day of Nov. 1893, who are now in the possession of the same selling & disposing of the same; that said transfer of goods, cattle, a waggon & team & all that was turned over to the said John P. Larkin Stender was without a valuable consideration, or at least a consideration anything like the value thereof.

Your order will further show unto your honor that the said sum of money is still due unpaid & that

1
interest is due as aforesaid; that in
a day or two after said transfer of said
goods & chattels said W.C. Shumaker
obscured the title and is now a non
resident thereof; that to your honor
just prior in Nov. 10th 1893 one
David P. Parnum deposited with the clerk
of the County Court for De County for rec-
ordation a deed signed by W.C. Shumaker
& his wife which conveyed to said
Parnum all of the said Shumaker's land
except the Stapleton tract & that tract
embraced in the conveyance of John B.
Dunington bearing date July 30th
1889, the consideration in said deed as
it is there expressed is \$5000⁰⁰ in hand
paid; that at the time your honor sold
said goods to said Shumaker & at no
time afterwards did they have any notice
or knowledge of the existence of the said
deed to said Parnum, until the same
was placed with the clerk for recordation;
that at any rate said deed was without any
consideration being paid down and was
made for the express purpose of hindering
delaying & defrauding said Shumaker's cred-
itors, ~~especially~~ in the collection of their
debts & especially that of your honor.

Your honor will further show
unto your honor that said W.C. Shumaker
made & acknowledged another ~~deed~~ giving
to one William Woodward a lien on all

his land except the land before conveyed
to ~~David~~ David Pearson and the said
Stoplow tract of land, to secure to the
said Woodward the sum of \$675⁰⁰, which
line was traced with the proper clerk for
recording on the 10th day of Nov, 1893.
Your writers over this pretended line
is fraudulent, voluntary, & was made
for the express purpose of hindering, de-
basing & defrauding his creditors & is
therefore void, A. Copy of the same is
here filed marked "Line" & prayed to
be considered as part of this bill.

Your writers further represents
unto your honor that when the said
John C. Stoplow & wife sold the said St-
pleton tract to said Shumaker, a deed
line was returned for the purchase
money - but that the same has long
since been paid; that there are no
other lines upon the land of the said
W.C. Shumaker; that the rents & profits
will not in five years pay your
writers claim & the costs of this suit.

The writers therefore considered
your writers are advised they have
rights cognizable in a court of equity;
that the said John P. Larkin Shumaker
will be compelled to account for all the
effects of the said W.C. Shumaker which
went into their hands; that said deed
to said Pearson & said Line is in favor

of said Woodward will be declared null
void as to your the creditor of the
said Shumore that had no notice of
the same at the time they made their
debts, and presumably will it be void
as to your order.

The prayer therefore of your order
is that W. C. Shumore, Larkin Shumore,
John P. Shumore, David P. Parran,

William Woodward, and John Calhoun
be made parties defendant to this bill of
complaint; that each be required to
answer its several allegations on
oath; that by virtue of the affidavit
here filed marked "Affidavit," made
pursuant to § 2944, of the Code of 1887 -
an attachment issue & be levied upon
the said W. C. Shumore's effects &
the same be held until a further order
of this court; that the said John P.
Larkin Shumore specially answer on
oath the truth or untruth of any thing the
said W. C. Shumore owed them; when &
where they got the money or other thing
which they lent the said W. C. Shumore
how whereby he became indebted
to him, the date of each item of indebted-
ness; the number & value of the said
cattle & horses & mules &c, & what they gave
therefor, an itemized statement of or
an invoice of all the goods & chattels
turned over to him or either of them,

by the said W.C. Skindon; that the
said David P. Pearson specially as-
swear an oath the true amount of any
thing he has paid on the land mentioned
in the deed of March 14, 1893, where, where,
& for whom he got the money or other
thing which he paid on said land, &
how much he still owes there; that
the said Wm. Woodward specially as-
swear an oath the true amount of
any thing the said W.C. Skindon owed
him, & for what, where, where, & from
whom he got the money or other thing
which he lent the said Skindon how & why
he became indebted to him, when the
same became or will become due &
the date of the indebtedness; that in
a final hearing of the case a judge-
ment be given your voters for the
amount of this claim & their costs; that
the said debt, lien, & transfer of goods
& chattels be set aside & that enough
be set aside satisfy your voters, claim
& the costs of this suit; & that an order of
publication be made for W.C. Skindon
as the law requires in such cases,
And that all further & general relief
be granted your voters on the nature
of their case, ^{may} require; And your
voters will ever pray &c.

Summerton Bro.

J. G. G.

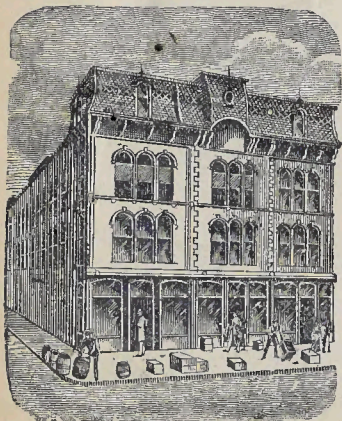
12 Dec 1874

Allen Stephenson & Co
 S. J. Bull & Chauncy
 W. C. Meridun ex el. Dfts
 1874 1st Jan'y Rules Bill filed 3 pa 2nd Jan home
 Dfts ord Pub for non resident and D. N. for
 " home Dfts
 " 2nd Jan Rules & N. for home Dfts confd
 " 1st Feb'y Rules Dfts for ord Pub
 " 2nd " " Ord Pub Comp't & set for hearing
 " June Term Decree & contd

C	8.94
S	2.50
W. M. P	2.50
Printer	5.00
Atty	\$5.00
	\$33.74
Cloc	5.75
	\$39.69

~~Defts~~
 Defts Costs
 @ \$1.60

Deacons & Sons P.S.



JOHN M. ALLEN,
ROBT. J. STEPHENSON, }
MRS. I. R. BOYD. }

1 Knoxville, Tenn., 12-14-1893

Ms W C Herridon

BOUGHT OF ALLEN, STEPHENSON & CO.

(Successors to BOYD, ALLEN & Co.)

Wholesale and Retail Dealers in

FURNITURE * AND * CARPETS.

Chamber Suits, Parlor Suits, Dining Room Suits, Chairs, Spring Mattresses, Oil Cloths, Mat-
tings, Table Linens, Towels, Napkins, Blankets, Curtains, Sheetings, &c., and House Furnishing Dry Goods.

ORDERS CAREFULLY FILLED.

Interest Charged on All Bills After Maturity.

TERMS CASH.

109 AND 111 GAY STREET.

Nov 8	6 CS Chairs Dr		4 50	
	6 CS " Lt		4 50	
	2 #54 Wal Sleds	3 50	7 00	
	2 Supwvsprings	2 50	5 00	
	2 CS Mattresses #2	3 50	7 00	
	2 Ex 67 "	2 50	5 00	33 00

JNO. M. ALLEN,
ROBT. J. STEPHENSON, }
MRS. I. R. BOYD.

MONTHLY STATEMENT.

a 50' Knoxville, Tenn. Dec 8 1893
Mr W C Herndon
Cynthiana Va

In Account with ALLEN, STEPHENSON & CO.

(SUCCESSORS TO BOYD, ALLEN & CO.)

Furniture, Carpets and House Furnishing Dry Goods.

INTEREST CHARGED AFTER MATURITY.

Nov 8	To Mdse. bal. rend.	33 00	
	Notary Fee	50	
			33 50
	Allen Stephenson	and Co	

Above please find statement of your account, which we ask you to examine and compare with your books, so that any errors or discrepancies can be reported and corrected, should any occur. If due, we ask you to remit by the..... or we will draw on you at..... through.....

Respectfully,

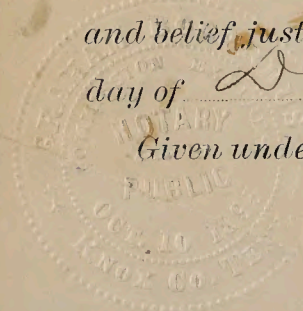
ALLEN, STEPHENSON & CO.

STATE OF TENNESSEE, }
KNOX COUNTY, } to wit:

I, Isaac Bogardus a Notary Public in and for said County and
State, do certify that R. J. Stephenson this day made oath before me
that the foregoing account, amounting to \$ 33⁰⁰ is to the best of his knowledge
and belief, justly due and that he claims interest on the same from the 8th
day of December 18 93

Given under my hand this 8th day of December 18 93

Isaac Bogardus



Allen Stephens & Co

vs.

W. C. Hurdouet

\$33.50

To the Honorable H.S.K. Morrison, Judge of the Circuit Court of Lee County, Virginia:

The separate demurrer and answer of John P. Herndon to a bill in chancery exhibited against him and others in this honorable Court by John M. Allen, Robert J. Stephenson, Mrs. I. P. Boyd, partners trading under the firm name of Allen Stephenson & Co.

Respondent says that complainants' bill is not sufficient in law to call upon him to answer it in this honorable court, but that there is good cause of demurrer thereto, and he demurs accordingly, and prays judgement of his said demurrer &c., And not waiving said demurrer, but relying and insisting thereon, should other and further answer be required of him answering he says:

That he has filed his separate answer to a bill in chancery exhibited against him and others in this court by Powers Little & Co., he has also filed his separate answer to another bill exhibited ^{Against him & others} in this court by Cowan McClung & Co., and he has also filed his separate answer to another bill in chancery exhibited against him and others in this court by Berry Gilliam & Co, all of which causes are still pending in this ~~the~~ honorable court, all have a common purpose with the bill of complainants all contain almost identically the same allegations except as to the amount claimed, and all are against ^{identically} the same persons. Respondent refers to said several answers and adopts them as a part of this his answer in this case and prays that they may be considered as such. And now having answered said bill as fully as he is advised it is material he should answer, respondent prays to be hence dismissed with his costs &c

Duncan Hyatt, Jr.

Virginia, Lee County, to wit:

This day John P. Herndon personally appeared before me, A. B. Munsey, Clerk of the Circuit Court of the County and State aforesaid, and made oath that the foregoing answer so far as made on his own knowledge is true and so far as made upon the information of others he believes it to be true. Given under my hand this the 5th day of March 1894.

W.C.Herndon et als.

Ads. { Separate Demurrer and
{ Answer of John P.Hern-
{ don, one of the defend-
{ ants.

Allen Stephenson & Co.

Duncan & Hvatt, p.d.

*Filed in open court March 9th
1894 A.B. Munsey Clerk*

To the Honorable H.S.K. Morrison, Judge of the Circuit Court of Lee County, Virginia:

The separate demurrer and answer of Larkin Herndon to a bill in chancery exhibited against him and others in this honorable Court by John M. Allen, Robert J. Stephenson and Mrs. J. P. Boyd, partners trading under the firm name of Allen Stephenson & Co.

Respondent says that complainants' bill is not sufficient in law to call upon him to answer it in this honorable court, but that there is good cause of demurrer thereto, and he demurs accordingly, and prays judgement of his said demurrer &c. And not waiving said demurrer, but relying and insisting thereon, should other and further answer be required of him and ⁱⁿ answering he says:

That he has filed his separate answer to a bill in chancery exhibited against him and others in this court by Powers Little & Co., he has also filed his separate answer to another bill in chancery exhibited against him and others in this court by Cowan McClung & Co., and he has also filed his separate answer to another bill in chancery exhibited against him and others in this court by Berry Gilliam & Co., all of which causes are still pending in this honorable court, all have a common purpose with the bill of complainants, all contain almost identically the same allegations except as to the amount claimed, and all are against identically the same persons. Respondent refers to said answers and ~~as~~ adopts them as a part of this his answer in this case, and prays that they may be considered as such. And now having answered said bill as fully as he is advised it is material he should answer, respondent prays to be hence dismissed with his costs &c.

Duncan Wyatt p. d.

Virginia, Lee County, to wit:

This day Larkin Herndon personally appeared before me, A.B. Munsey, Clerk of the Circuit Court ~~of the County and State~~ of the County and State aforesaid, and made oath that the foregoing answer so far as made on his own knowledge is true and so far as made upon the information of others he believes it to be true. Given under my hand this the 5th day of March 1894.

A.B. Munsey Clerk

W.C. Herndon et als.

Separate Demurrer and
Ads. Answer of Larkin Herndon,
one of the defendants.

Allen Stephenson & Co.

Duncan & Hvatt, p.d.

*Filed in open court March
The 9th 1894
A B Munsey Clerk*

Allen, Stephenson & Co.

vs,

In Chancery.

The depositions of *R. J. Stephenson*
taken before me, C. B. Tompkins,

a notary public in and for the county of Knox, and State of
Tennessee, pursuant to notice hereto annexed at the office of
Henry. Fenton, ~~2107~~²⁵³ Gay street, in the city of Knoxville, in the
said county and state on the 2nd day of February, 1894, be-
tween the hours of 7 A. M. and 8 P. M. of that day, to be read as
evidence in behalf of the Allen, Stephenson & Co. in a
certain suit in equity depending in the Circuit Court of Lee
county, Virginia, wherein Wm. C. Herndon, John. P. Herndon, Larken
Herndon, Wm. Woodward and David. P. Parsons are defendants, and
said Allen, Stephenson & Co. is plaintiff.

Present

for defts'

for plaintiff

Ques. 1st Give your name, age, residence, and occupation?

Ans. I the witness R. J. Stephenson after being duly sworn deposes as follows, to wit:

Ques. 1st Give your name, age, residence and occupation?

*Ans. R. J. Stephenson Knoxville Tenn 33 years
Furniture & Carpets*

Ques. 2nd What is your connection with the plaintiffs in this suit?

Ans. One of the firm and also look after the carrying of our Customers

Ques. 3 State whether the said W. C. Herndon is indebted to said plaintiffs in any sum or sums of money, if so for what, and when it did or will become due?

Ans. Thirty Three (\$33) Dollars ~~was~~ due Dec 8/93 as per statement attached marked (Invoice) -

Ques. 4. When said sales were made to said Herndon, did he or not make any representations as to his assets and liabilities if so what were they

Ans. He made no statement to me but I understood through others that he was gone for any thing he wanted

Ques. 5. Did you or not at the time said sale was made to said Herndon, ~~at~~ prior thereto, have any knowledge of the deed mentioned ⁱⁿ plaintiffs, dated March 14th 1893, whereby said Herndon & wife conveyed a greater portion of his real estate to one David P. Parsons?

Ans. We had no notice of it we had no know of it until after Nov 10/93 if we had known of same would not have given him credit and further this document says to not

R. J. Stephenson

Tennessee.

County of Knox. to wit

I C. B. Tompkins a notary public for the county of
Knox in the said state do hereby certify that the fore-going
depositions of *R. J. Stephenson*

were duly taken, sworn to, and subscribed before me at the time
and places and for the purpose therein mentioned.

Given under my hand and seal this *2nd* day of February 1894

C. B. Tompkins
Notary Public

Allen Stephenson & Co

of Depositions

W. C. Herndon et al

Received by mail in good
condition on Feb by the 11th
1894 and filed on the 5
of February 1894

A B Munay Clerk

Given under my hand and seal this 22nd

day of February 1894

and places and for the purposes therein mentioned.

were duly taken, sworn to, and subscribed before me at the time

depositions of

Knox in the said state do hereby certify that the foregoing

I O. B. Tompkins a notary public for the county of

County of Knox. to wit

Tennessee.

Allen, Stephenson & Co

AGAINST

W. C. Herndon et al

To W. C. Herndon. Larkin Herndon. John P. Herndon Wm Woodward

David P. Parsons and John C. Stapleton

of February 1894 Take notice that on the 22nd day

253 Gay street in the city of Knoxville at the office of Henry Keaton at

County, State of Tennessee we will proceed to take the deposition of J. K. Stephenson
and others

to be read as evidence on behalf of

Allen Stephenson & Co

in a certain suit in Equity now pending in the Circuit Court of Lee
County, State of Virginia wherein said Allen Stephenson & Co
Plaintiff and you and each of you are Defendants And if from any
cause the taking of said depositions are not begun on that day, or being begun not complete, the same will be
continued from day to day or from time to time and if desired from place to place, until the same are complete. You
may attend and cross-examine if you wish.

January 4 1894

Very Respectfully

Allen Stephenson & Co

per Cunningham Bros.

Allen, Stephen vs
notice to take
depositions

H. C. Herndon et al

Executed by delivering
on the 12th day of Jan 1894
a copy of the within notice
to each Parker Herndon
John P. Herndon, James P.
Parsons, John C. Stapleton
& Mrs Woodward, but not
executed on H. C. Herndon

V^o. in County, to wit

The foregoing return
of H^{on} W. H. Pennington was
this day sworn to by him
his duty, solemnly affirmed.
Given under my hand
this 13th Jan. 1894

E. H. Pennington
Notary Public

Allen, Stephenson & Co

AGAINST

W. C. Herndon et al

To W. C. Herndon. Larkin Herndon. John P. Herndon Wm Woodward

David P. Parsons and John C. Stapleton

Take notice that on the 2nd day

of February 1894

at the office of James Hinton at

253 Gay Street in the City of Knoxville
County, State of Tennessee I will proceed to take the deposition of Allen Stephenson and others

to be read as evidence on behalf of

Allen Stephenson & Co

in a certain suit in Equity now pending in the Circuit Court of Lee
County, State of Virginia wherein said Allen, Stephenson & Co are
Plaintiff and you and each of you are Defendants And if from any
cause the taking of said depositions are not begun on that day, or being begun not complete, the same will be
continued from day to day or from time to time and if desired from place to place, until the same are complete. You
may attend and cross-examine if you wish.

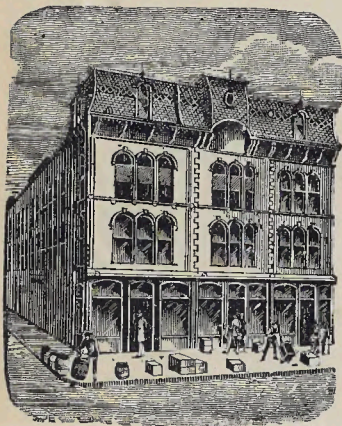
Jan 4th

1894

Very Respectfully,

Allen Stephenson & Co

Am C. Shunder



JOHN M. ALLEN,
ROBT. J. STEPHENSON,
MRS. I. R. BOYD.

(Moorie)
Knoxville, Tenn., Jan 3 1894
Messrs W B Herndon

BOUGHT OF ALLEN, STEPHENSON & CO.

(Successors to BOYD, ALLEN & Co.)

Wholesale and Retail Dealers in

FURNITURE * AND * CARPETS,

Chamber Suits, Parlor Suits, Dining Room Suits, Chairs, Spring Mattresses, Oil Cloths, Mat-
tings, Table Linens, Towels, Napkins, Blankets, Curtains, Sheetings, &c., and House Furnishing Dry Goods.

ORDERS CAREFULLY FILLED.

Interest Charged on All Bills After Maturity.

TERMS CASH.

109 AND 111 GAY STREET.

30 days

Nov 8	6 6 Chairs Drk		4 50	
	6 6S " Lt		4 50	
	2 #54 Wal Steady	3 50	7 00	
	2 Supnewsprings	2 50	5 00	
	2 #2 67 Mattresses	3 50	7 00	
	2 Ex 67 "	2 50	5 00	33 00

DeedBook No 29 , page 433.

This deed made the 14th day of March 1893 between William C. Herndon and Cynthia E Herndon of the first party and David P Parson^s of the second part of the county and state aforesaid
of the County of Bee & State of Virginia
Witness that in consideration of the sum of five thousand dollars in hand paid the receipt whereof is hereby acknowledged W.C. Herndon and Cynthia Herndon his wife do grant bargain sell and convey unto David P. Parsons party of the second part a certain tract or parcel of land lying in the Craborchard on Reeds and Jones creek waters of the North Fork of Powells River No of acres unknown supposed to be six hundred more or less and bounded as follows to wit: Beginning at a stake on the north bank of the North Fork at the mouth of Reeds Creek thence with the meanders to the Mc Gradie line and with said line N30 W ___ to a gum & chestnuts and spanish oak corner to A.P. Baileys land and with lines of same N34 W 20 poles to a white oak and a chestnut Thence N30 W 42 poles to 3 white oaks Thence No W with parkers line to Jones Creek and with said creek to Joseph Marcums corner thence southwardly with said Marcums line to A.K. Debush^s corner thence with his several lines and corners to a corner to Alfred Johnston's land formerly Samuel Parsons land thence with lines and corners of said Samuel Parsons tract to James Quinn land Thence with lines and corners to Mathew Zion land and with said Zions lines and corners to Lawsons land and with his lines and corners to the beginning. the foregoing described boundary of land in braces the land purchased by W.C. Herndon from Tobias Hughs and life Charles Pennington heirs Larkin Herndon and John B. Pennington and the said David P. Parsons is to have and with all the appurtenances thereunto and the said William C. Herndon and the said William C. Herndon and Cynthia Herndon parties of the first part do warrant gesser

ally the land hereby conveyed . Witness the following signature and seals the year and day first written .

William ~~W.~~ C. Herndon (seal)

Cynthia E Herndon (seal)

State of Virginia , County of Lee , to wit :

I, F.M. Parsons a justice of the peace in and for the county and state aforesaid do certify that William C. Herndon and Cynthia E. Herndon his wife whose names are signed to the foregoing deed bearing date on the 14th day of March 1893 acknowledged the same before me in my county and state ~~and~~ ~~and~~ given under my hand and seal this the 14th day of March 1893.

F.M. Parsons J.P.

Virginia Lee County to wit :- In the clerk's office of of the said county The 10th day of Nov ~~1893~~ 1893 this deed was presented and together with the certificate thereto annexed was admitted to record.

Test: S.V.F. Richmond . Clerk.

Virginia Lee County to wit :- *Acopy*

This day H.L. Ennington personally appeared before me in my county and state aforesaid , and made oath that *Teste S.V.F. Richmond* *clerk* he had copied the foregoing deed from the records of the county court of the said county , and that the same is a true transcript from the said record. This Feb. 1894.

N.P.

For of m'ia Lee County - to wit 9
By the office of the Clerk of the said County
the 16th day of Nov 1893 this deed was presented and together with
the certificate thereeto annexed, admitted to record at 5:07 A.M. Richmond, Va.

This deed made this the 10th day of Nov 1893 by and between
W.C. Herndon of the first part and William Woodward of the
second part both of the county of Lee and State of Virginia
The party of the first part doth grant unto the party of the
second part a tract or parcel of land Bounded, as follows,
Beginning at a stake ^{at} the mouth of Reeds creek running
with Lawsons line to the top of stone mountain thence with
the meanderings thereof to the McCradie line and with same
to the north Fork of Powells River and with meanderings ther-
of to the Beginning. This deed of trust is to secure and
whold good to the party of the second part for the sum of
six hundred and seventy five dollars which the party of the
second party wholds against the party of the first part this
contract shall stand and whold good to the party of the sec-
ond part untill the notes is satisfied in full. Witness the
following sinature and seal W.C. Herndon (seal)

Virginia Lee County to wit :
I, J.F. Burgin a justice of the peace of said county in the state
aforesaid ^{do Certify} that W.C. Herndon whose name is signed to the fore-
going deed bearing date on the 10th day 1893 this day person-
ally appeared ^{before} me in my county aforesaid and acknowledged the
same to be his act and deed Given under my hand and seal this
the 10th day of Nov 1893. J.F. Burgin J.P.

Virginia Lee county to wit :-

This day R.L. Pennington personally appeared before me and
made oath that he had copied the foregoing deed from the rec-
ords ~~/from/~~ of the county court of Lee county on file in
the clerk's office of the said court, and that the same is a
true transcript of the said record. This Feb _____ 1894.

N.P.

Deed Book No. 25 ,page 106.

THIS DEED of conveyance made this the 5th day of February 1890 by and Between Tobias Hughs and Martha Hughs and P Pegg Parsons of the first part and all of the county of Lee and state of Virginia and William C. Herndon ^{of the second part} of the county and state ~~of~~ aforesaid . Witnesseth that for and in consideration of the sum of eight hundred Dollars in hand paid the ~~of~~ receipt of ~~of~~ which is hereby acknowledged the parties of the first part do ~~do~~ bargain sell ~~of~~ and convey unto the parties of the second part a certain tract or parcel of land lying and being in the county of Lee and State of Virginia situated on Reeds Creek waters of the north Fork of Powels River being two hundred acres be the same more or less and bounded as follows to wit: being the land where ^{Said} Tobias Hughs now lives and adjoining the land of Samuel Parsons , James Quillen and Mabew Zion and the parties of the second part to have and to hold forever . and the parties of the first part the land hereby conveyed . Witness the following signature and seal the day and date above written .

^{his}
Tobias F. Hughs (seal)

^{Martha}
Martha Hughs (seal)

^{Margaret}
Margaret R . Parsons (seal)

State of Virginia :

County of Lee

I, F. M. Parsons a justice of the peace for the aforesaid county do certify that Tobias Hughs and Martha Hughs His wife and Peggie Parsons whoes names are signed to the foregoing deed ^{examined} date on the 5th day of February 1890 acknowledged the same before me in my county and state aforesaid to be their act and deed and does not wish to retract it .

Given under my hand this the 5th day of February 1890

F.M.Parsons J.P.

Virginia Lee county ,to wit: In the office of the clerk
of the said county May the 6th 1890 this deed was presented
and with the certificate thereto annexed admitted to record .

Test John R.Gibson clerk .

Virginia Lee County to wit: *Copy*
Test: J. H. Richardson
Personally appeared before me *E. W. Pennington* a notary pub-
lic in and for the county and state aforesaid ,R.L.Pennington
and made oath that he had copied the foregoing deed from
the records of the county & court of Lee county on file in
clerks office of the said county court , and that the same
is a true transcript therefrom .Sworn before me this the ____
day of Feb. 1894.

N.P.

A. C. Henderson

From { Copy of Deed
Tobias Houghton's wife
For fee copy \$5.00

N.P.

day of Feb. 1884.

is a true transcript therefrom. Sworn before me this the
clerk's office of the said county court, and that the same
the records of the county & court of Lee county on file in
and made oath that he had copied the foregoing deed from
file in and for the court and state aforesaid. R. L. Pennington
Personally appeared before me R. W. Pennington a Notary pub-
Virginia Lee County no wife:

Test John R. Gibson clerk.

and with the certificate thereto annexed admitted to record.
of the said county May the 6th 1880 this deed was presented
Virginia Lee county, no wife: In the office of the clerk

R. W. Parsons J.P.

Given under my hand this the 6th day of February 1880

Deed Book No 23 , page 534 .

This deed made this the 15th day of Oct 1884 by and between John B. Pennington and Larkin Herndon of the County of Lee and State of Virginia of one part and William C. Herndon of the county and state aforesaid of the other part

Witnesseth that for and in consideration of the sum of \$450.00 in hand paid the receipt of which is hereby acknowledged , the said John B. Pennington and Larkin Herndon do grant bargain and sell unto the said William C. Herndon a certain tract or parcel of land lyine and being on the county of Lee and State of Virginia Being a part of the John McCradie 14,050 acre survey which was partitioned by commissioners among the heirs of Edward Pennington Decd this being a portion of the lot assigned to John Pennington Sr and by him by deed to John Pennington Jr and Larkin Herndon said land is lying in lower Craborchard and between the North Fork of Powels River and Jones Creek and Reeds Creek bounded as follows to wit Beginning beginning at a poplar on the east bank of Reeds creek corner to Charley Pennington Decd land near the ford of said creek and with said creek southwardly 90 poles to its mouth on the north bank of the North fork of Powels River thence eastwardly with the meanderings thereof to a stake the original line and with with said line N 38 W to a gum 2 chestnuts and a spanish oak corner to A. Baileys land and with lines of same N 34 W 28 poles to a white oak and thence north 5 W 42 poles to 3 white oaks thence north west with Parkers line to Jones creek and with said creek to Charles Pennington Decd lines and with his line to the beginning supposed to contain 3 to 4 hundred acres be it the saje more or less And the said John B. Pennington and Larkin Herndon do covenant with the said

William C. Herndon that they will warrant generally the the land hereby conveyed. Witness the Following signature and seals

John. B. Pennington (seal)

Larkin Herndon (seal)

I John A. G. Hyatt a commissioner in chancery for Lee county court the same being a court of Record do certify that John B. Pennington and Larkin Herndon whose names are signed to the foregoing bearing date on the 15th day of Oct 1884, personally appeared before me in my county aforesaid and each acknowledged the same to be their act and deed for the purpose therein stated. Given under my hand this the 5th day of Jan 1885

J. A. G. Hyatt Com r &c

Virginia Lee county court clerks office March the 4th 1889 the foregoing deed bearing date on Oct the 1th 1884 between John B. Pennington and Larkin Herndon of the one part and William C. Herndon of the other part all of Lee county Va. was this day ~~presented~~ filed in this office and admitted to record upon the certificate of J. A. G. Hyatt Com r for Lee county Va.

Test J. R. Gibson clerk.

Virginia Lee county to wit:

A copy
Testi J. V. McHugh Clerk
This day R. L. Pennington personally appeared before me, notary public in and for the county and state aforesaid and made oath that he had copied the foregoing deeds from the records of the county court of the said county, and that the same is a true transcript therefrom. This the ___ day of Feb. 1894.

N.P.

Deed Book No. 20 page 104

This deed of conveyance made this the 19th day of March 1890 by and between John C. Pennington and Patience Pennington his wife and Martha J. Robins and Mary A. Robins of the county of Lee and state of Virginia and Green B. Pennington and Susan his wife of the county of Parry and state of Kentucky

of the first part and and William C. Herndon ~~of the second part~~ *of the second part* of the county of Lee and state of Virginia *Witnesseth*

that for and in consideration of the sum of \$500.00 dollars in hand paid the receipt of which is hereby acknowledged the parties of the first part do hereby grant, bargain and sell and convey unto the parties of the second part all of their right and title in the Charles Pennington tract of land lying and being in the county of Lee and state of Virginia on the

waters of Jones Creek and Bounded as follows to wit: Beginning at a beech and a white oak on the east bank of Reeds / creek thence southwardly to a poplar thence *Eastwardly* *oak*

on the top of a ridge thence northwardly to white oak on a flat thence northea~~s~~wardly to a wagon road and with said road south westwardly to a beech *Near* the mouth of the first hollow near the bank of Jones Creek and with said creek to the mouth of said Creek to Joseph Marcums corner thence westwardly with said Marcums line to the Charles Pennington and with said line to the Beginning the parties of the first part do warrant generally the land hereby conveyed the parties of the second part to have and to hold forever. witness the following signature and seal this the 19th day of March 1890

John C. Pennington (seal)

Patience Pennington (seal)

Martha J. Robins (SEAL)

Dinah Pennington (seal)

Green B. Pennington (seal)

Mary A. Robins (seal)

State of Virginia County of Lee to wit :

I, F.M. Parsons a justice of the peace for the aforesaid county and state do certify that John C. Pennington and Patience Pennington his wife Martha J. Robins and Dinah Pennington whose names are signed to the foregoing deed bearing date on the 19th day of March 1890, acknowledged the same in my county and state aforesaid to be their act and deed and does not wish to Retract it. Given under my hand and seal this the day ~~of~~ and date first above written.

F.M. Parsons J.P.

State of Kentucky County of Perry

I, Ira J. Davidson clerk of the county court ~~for~~ for the county and state aforesaid do certify that the foregoing deed of conveyance from John C. Pennington was presented to me in my county aforesaid and acknowledged before ~~me~~ me by Green B. ~~Pennington~~ Pennington and Susan his wife to ~~be~~ be their act and deed and the same is certified to the proper office for record. Given under my hand this the 29th day of March 1890

Ira J. Davidson Clerk

By G.R. Cornett D.C.

State of Virginia Le county to wit :

I, F.M. Parsons, a justice of the peace for the aforesaid county and state do certify that Mary A. Robins whose name is ~~is~~ signed to the foregoing deed bearing date on the 19th day ~~of~~ of

March 1890 acknowledged the same before me in my county and state aforesaid to be her act and deed and does not wish to retract it. Given under my hand the 7th day of April 1890

F.M. Parsons J.P.

Virginia Lee County to wit :

In the office of the clerk of the said county, this deed was presented and with the certificates thereto annexed was admitted to record. Test Jon R. Gibson Clerk.

Virginia Lee County to wit :

This day R.L. Pennington personally appeared before me a notary public in and for the county and state aforesaid and made oath that he had copied the foregoing Deed from the records of county court of Lee county on file in the clerk's office of the said county court, and that the same is a true transcript from the said records as he verily believes. Given under my hand this the ____ day of Feb. 1898.

M.P.

H. C. Newell

From { Copy of
John C. Peckham

For Copy \$0.75

Deed Book No 20 page 112 .THIS DEED made this Nov. 9th 1889
by and between M.C.Parsons of the first part and / Craig
Herndon of the second part both of the county of Lee and state
of Virginia .Witnesseth that the party of the first part
doth grant bargain sell and convey unto / the party of the sec
ond part his undivided interest in / Charles Pennington
now deceased, estate that he bought of Anderson Robins and
wife heirs of aforesaid Charles Pennington Decd for the sum
of one hundred dollars in hand paid the receipt of which
is hereby acknowledged , the aforesaid M.Parsons binds himself
to warrant the land hereby conveyed with all of its appurte-
nances forever . Witness m/ hand and seal day and year
first of Decr

M.C.Parsons (seal.)

Virginia Lee County to wit

I, V.H.Kelly notary public for the aforesaid county do
do certify that the M.C.Parsons whose name is signed to the
above deed bearing date Oct. 9th 1889 , personally appeared before
me in my county aforesaid and acknowledged his signature to
this deed to be correct for the purpose mentioned in the above
deed. Given under my hand this Nov. 9th 1889

V.H.Kelly N.P.

Virginia Lee County to wit : In the office of the clerk of the
said county May the 6th 1890 , this deed was presented and
with the certificate thereto annexed admitted to record

Test John R. Gibson , clerk

Virginia Lee County
This day personally appeared before me, R.L. Pennington

notary public in and for the county aforesaid , R.L. Penning-
ton and made oath that the foregoing copy is a true transcript
of the record on file in the county court clerks office .
Sworn before me this Feb 1894

N.P.

A. C. Shumaker
From Copy of Seed
M. L. Parram
The far Copy #10.23

Deed Book No. 25 Page 163 .

THIS DEED made this the 30th day of July 1869 between
John B. Pennington ^{Larkin Herndon one} of the first part and William C. Herndon of
the ~~second~~ part J. Pennington now a resident of Hawkins
County Tennessee and the other named parties of Lee County
Virginia. Witnesseth that in consideration of the sum of
\$50 .00 fifty dollars in hand paid the receipt of which is
hereby acknowledged the said John B. Pennington and L. Herndon
do grant bargain/ and sell unto the said / William C. Herndon
a certain tract or parcel of land lying and being in the county
of Lee state of Virginia it being the remaining part of a /
tract of land assigned to John Pennington Sr. by Commis-
sioners it being a part of the ~~the~~ Mc Cradie sur-
vey bounded as follows to wit: BEGINNING at the mouth of Jones
creek crossing the North Fork of Powels River southwardly
up the north side of Stone mountain with partition line to
the top of said mountain thence eastwardly with the top of /
same with the varying meanders thereof to the ^{beginning} Mc Cradie line
and with line thereof northwardly to the North fork of Powels
River thence westwardly with the many and varied meanderings
thereof to the beginning . And the aforesaid John B. Pennington
and Larkin Herndon do covenant and agree with with the said
William C. Herndon to warrant generally the land hereby con-
veyed with all of its appertinences . Witnesseth the following sig-
natures and seals . The ~~number~~ of acres not known but
by the boundary be the same more or less

John B. Pennington (seal)

Larkin Herndon (seal)

Virginia Lee County to wit :

1. John A. G. Hyatt clerk for the circuit court for
Lee county State aforesaid do hereby certify that John B.

~~Pennington~~

Pennington and Larkin Herndon whose names are signed to the foregoing Deed bearing date on the 30th July 1889 each personally appeared before me and acknowledged the same to be their act and deed for the purposes therein stated.

Given under my hand this 7th Sept 1889

J.A.G. Hyatt clerk

Virginia Lee County to wit \checkmark :

In the office of the clerk of the said county May the 6th 1890 this deed was presented and with the certificate thereto annexed admitted to record.

Test John R. Gibson Clerk.

Virginia Lee County to wit

Copy Test: J. V. H. Richmond
This day R.L. Pennington personally appeared before me

a notary public in and for the county and state aforesaid and made oath that he had copied the foregoing deed from the records of the county court of Lee County on file in the said county court clerk's office, and that the same is a true transcript from the said records.

Sworn before me this the ____ day of Feb. 1894.

N.P.

H. C. Menden

From } Due &
John B. Pennington

For copy \$0.50

From J.C. Stapleton & wife

THIS DEED made this the 7th day of March 1887, between John C. Stapleton and Almed'ed L. Stapleton his wife of the first part and W. Craig Herndon of the second part all of the county of Lee, State of Virginia. WITNESSETH that in consideration of the sum of Two Hundred Dollars in hand paid and secured to be paid by the party of the second part to the party of the first part the receipt of which is hereby acknowledged, the said party of the first part by these presents give, grant, sell deliver and convey unto the party of the second part a certain tract or parcel of land lying and being in said County of Lee and on Jones Creek in the Crab-orchard containing by estimation thirty and a half acres be the more or less bounded as follows: BEGINNING on the 124 pole line 39 poles from White oaks and beaches on the north side of a branch at a White oak S 23 E 99 poles to a Red Oak on the top of a ridge and with said ridge S 89 1/2 W 50 poles to a pine and chestnut on the top of a high spur N 55 1/2 W 29 poles to a little gum and chestnut N 26 W 10 poles to two chestnut oaks S 33 1/2 W 33 poles to a sour wood hickory and two dead spanish oaks, (now gone) N 41 1/4 W 33 poles to a chestnut at the top of a deep hollow N 69 E 93 to the beginning. To have and hold the said tract of land with all of its appurtenances unto the party of the second part and his heirs forever And the party of the first part covenant that they will warrant generally the title to the land hereby conveyed And the party of the first part hereby reserve to themselves the vendor's lien on said land until the purchase money therefor is fully paid. Witness the following signature and seal.

John C. Stapleton (seal)
Armedia Stapleton (seal)

Virginia, Lee County -- to wit :

I John A.G. Hyatt, com'r in Chy. for & C do certify that John C. Stapleton, whose name is signed to the foregoing deed dated March the 7th 1887 Personally appeared before me in the said county and acknowledged said writing to his act and deed. Given under my hand this the 7th day of March 1887. J

J. A. G. Hyatt, comr &c .

Virginia Lee County, to wit : I John A. G. Hyatt commissioner in chancery for Lee county do certify that Almedia Stapleton wife of John C. Stapleton whose names are signed to the foregoing deed dated March the 8th 1887 personally appeared before me in the County aforesaid and being examined by me privily and apart from her husband & having the deed fully explained to her she declared she had willingly signed and executed the same and did not wish to retract the same Given under my hand and seal this the 20th day of August ~~1887~~ 1888.

John A. G. Hyatt, Com in ch

chancery for Lee County Court

Virginia Lee County Court Clerk's office, Feb. 7th 1888

The foregoing deed bearing date March the 8th 1887 between John C. Stapleton and Almedia his wife of the first part and W. C. Herndon of the second part all of Lee County Va. was this day filed in the clerk's office and admitted to record upon the foregoing certificate of John A. Hyatt A comr in in chancery for Lee County Court.

Test John R. Gibson, clerk

A Copy - Test: J. V. H. Richmond
clerk

H. C. Hudson

From } Deed-
John C. Stophelau

Fee for Copy \$1.00

Deed Book No 20 , page 111 .

This deed made this Dec 21st 1869 between Rebecca J Robins and James A Robins of the first part and William C Herndon and Cathia ^{his wife} Herndon of the county of Lee and state of Virginia of the second part Witness that for and in consideration of the sum of \$30.00 dollars in hand paid the receipt whereof is hereby acknowledged the said part of the first part do grant bargain and sell unto the said party of the second part all of their right title and undivided interest in the Charles Pennington Farm lying and being in the said County of Lee and ~~shenandoah~~ and lying on the Jones Creek and bounded as follows Beginning on a beech and white oak on the east bank of Reeds Creek near its mouth thence southwardly to a poplar on Jones Creek thence eastwardly to a white oak on a flat thence northwardly to a wagon road thence southwardly to a beech at the mouth of a hollow near the bank of Jones creek thence southwardly with said creek to Joseph Marcums corner thence southwardly with said Marcums line to the old Charles Pennington line thence southwardly back to the beginning and the said party of the first part do covenant with the part of the second part that they will warrant generally the land hereby conveyed &c. Witness the following signature and seal s.

James A. Robins (seal)

Rebecca Robins (seal)

Witnesses H. Graham

Z.T. Robins

Perkins county Chickasaw nation Feb 22 /90

Kryn Springs

Chickasaw Nation Perkins County Chickasaw Nation Feb 22/90

Personally appeared before me S.W. Wallace a U.S. commissioner James H Robins and his wife Rebecca Robins to me well known

and signed and acknowledged to me that it was for consideration therein expressed and set forth the above and foregoing deed or instrument in writing convey a tract of land to William C. Herndon and his wife This Feb 22/00

Samuel W Wallace U.S. Cmr for /x/
Indian Territory.

Virginia Lee county to wit :

In the clerk's office of the said county, May the 26th 1890
This deed was presented and with the certificate thereto annexed, admitted to record

Test John R. Gibson Clerk

Virginia Lee County to wit :

This day R. L. Pennington personally appeared before me, a notary public in and for the county and state aforesaid, and made oath that he had copied the foregoing deed from the records of the said county court and that the same is a true transcript therefrom. Given under my hand this the ____ day of Feb 1890

N.P.

Allen Stephens & Co
vs. } the Chancery
H. C. Henderson et al

Copies of Duds.

~~From~~

H. Henderson

From -

John C. Pennington et al
John B. Pennington et al
Larkin Henderson et al
John C. Stopleton wife
Johnas Hughes & wife
Rebecca J. Robins et al
M. C. Parram

From

H. C. Henderson

To.

David P. Parram
William Hoolwood

For far Copy

\$ 4.50

Copied

In the Clerk's Office of the Circuit Court of the County of
Lee on the *1st* day of *January* 189*4*.

Allen Stephenson & Co
against

Plaintiff

In Chancery

W. C. Herndon et al
Defendant

The object of this suit is to *is to set aside and annul the deed of W. C. Herndon*
+ wife David P. Parson dated March 14th 1893; 2nd To set aside and declare
void the deed made by W. C. Herndon + wife to Mrs. Woodward dated
Novr the 10th 1893; 3rd To annul the transfer of goods + chattels made by
W. C. Herndon to John P. Larkin Herndon on or about Novr
the 10th 1893; and 4th that a judgment be given in favor of the Plffs
against the Defendants for the amount mentioned in the bill
itself same to be satisfied out of the said property of W. C. Herndon +
And an affidavit having been made and filed that the defendant *W. C. Herndon* is

not a resident of the State of Virginia, it is ordered that *he* do appear here, within *fifteen days*
after due publication hereof, and do what may be necessary to protect *his* interest in this suit. And
it is further ordered that a copy hereof be published once a week for four weeks in the *Lee County*
Republican and that a copy be posted at the front door of the court-house of this *County*
on the first day of the next term of the *County* Court.

A copy—Teste:

Pennington Bros p. q.

A. B. Munsey Clerk.

Allen Stipenson & co

vs. }

ORDER OF
PUBLICATION.

W. L. Herndon et al

*I, A. B. Munsey Clerk of the
Circuit Court do certify that
I delivered to the Lee County
Republican the within order
on the 1st day of January 1894
for Publication, and posted
a copy thereof at the front door
of the Court house at the
January Term 1894 of the
County Court*

A. B. Munsey Clerk

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

*W. C. Herndon, John P. Herndon
Larkin Herndon, John C. Stapleton, William Woodward
and David P. Parsons*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said Court on the *1st* Monday in *January*, 189*4* to answer a bill in Chancery,

exhibited against *Them* in our said court by *John M. Allen*
Robert J. Stephenson and Mrs. J. R. Boyd partners
in trade under the style & firm of Allen Stephenson & Co.

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the *19th* day of *December* 189*3*, and in the *11 8* year of the Commonwealth.

A B Munsey Clerk.

The proper affidavit having been made and filed the officer executing this summons is directed to attach the following real estate of W. C. Herndon, all of which lies in Lee Co., Va., in the Craborchard consisting of two tracts, the first of which is now in the hands of David P. Parsons and bounded as follows to wit: Beginning at a stake on the North bank of the North Fork of Powell's river at the mouth of Reed's creek; thence eastwardly with the meanderings of the said river to the McCradia line, thence N. 38 W. --- po to a gum 2 chestnuts and a spanish oak corner to A. J. Bailey's land, and with lines of same N. 24 W. 28 po, to a White oak and Chestnut, thence N. 35 W. 42 po, to 3 White oaks, thence N. with Parker's line to Jones creek, and with said creek to Joseph Marcum's corner, thence Southwardly with said Marcum line to A. K. DeBusk's corner, thence with his several lines and corners to Alfred Johnson's land formerly Samuel Parson's land, thence with lines and corner of said Parson tract to James Quillen's land, thence with his lines and corner to Mathew Zion land, thence with his lines and corner to Lawsons land thence with his lines and corner to the beginning. The 2nd of which tracts is now in the hands of Wm. Woodard, and embraces that land described in deed of July 20th 1889 of Larkin Herndon and John B. Pennington to said W. C. Herndon and which is recorded in Deed Book No 25.-163.

At B Murray Clerk

Allen Stephenson

VS. } SUBPÆNA
IN CHANCERY.

W. C. Herndon et al

Pennington Bros p. q.

To *1st January* 1894 Rules,

Circuit Court.

W. C. Herndon, et al

Executed Dec, 23 1889 by d Everying an office copy of the with a subpoena in chancery and attachment to John P. Herndon, Larkin Herndon, John C. Stapleton, Wm. Woodard and David P. Parsons and not executed as to W. C. Herndon also by attaching on the following real estate of W. C. Herndon described as follows: all of which lies in Lee Co., Va. in the Craborchard consisting of two tracts, the first of which is now in the hands of David P. Parsons and bounded as follows to wit: Beginning at a stake on the North bank of the North Fork of Powell's river at the mouth of Reed's creek; thence eastwardly with the meanderings of the said river to the McCradia line, thence N. 38 W. --- po to a gum 2 chestnuts and a spanish oak corner to A. J. Bailey's land, and with lines of same N. 24 W. 28 po, to a White oak and Chestnut, thence N. 35 W. 42 po, to 3 White oaks thence N. with Parker's line to Jones creek, and with said creek to Joseph Marcum's corner, thence Southwardly with said Marcum line to A. K. DeBusk's corner, thence with his several lines and corners to Alfred Johnson's land formerly Samuel Parson's land, thence with lines and corner of said Parson tract to James Quillen's land, thence with his lines and corner to Mathew Zion land, thence with his lines and corner to Lawsons land thence with his lines and corner to the beginning. The 2nd of which tracts is now in the hands of Wm. Woodard, and embraces that land described in deed of July 20th 1889 of Larkin Herndon and John B. Pennington to said W. C. Herndon and which is recorded in Deed No. 25.-163.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon *W. L. Herndon, John P. Herndon*
Larkin Herndon, John L. Stapleton, William Woodward
and David P. Parsons

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said Court on the *15th* Monday in *January*, 189*4*, to answer a bill in Chancery, exhibited against *them* in our said court by *John M. Allen, Robert J. Stephenson and Mrs. J. R. Boyd partners in trade under the style & firm of Allen Stephenson & Co*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the *19th* day of *December* 189*3*, and in the 11 *8th* year of the Commonwealth.

A Copy Teste

A. B. Munsey Clerk.

A. B. Munsey Clerk

The proper affidavit having been made and filed the officer executing this summons is directed to attach the following real estate of W. C. Herndon, all of which lies in Lee Co., Va., in the Craborchard consisting of two tracts, the first of which is now in the hands of David P. Parsons and bounded as follows to wit:

Beginning at a stake on the North bank of the North Fork of Powell's river at the mouth of Reed's creek; thence eastwardly with the meanderings of the said river to the McCradia line, thence N. 33 W. --- po to a gum 2 chestnuts and a spanish oak corner to A. J. Bailey's land, and with lines of same N. 24 W. 28 po, to a White oak and Chestnut, thence N. 35 W. 42 po, to 3 White oaks, thence N. with Parker's line to Jones creek, and with said creek to Joseph Marcum's corner, thence Southwardly with said Marcum line to A. K. DeBusk's corner, thence with his several lines and corners to Alfred Johnson's land formerly Samuel Parson's land, thence with lines and corner of said Parson tract to James Quillen's land, thence with his lines and corner to Mathew Zion land, thence with his lines and corner to Lawsons land thence with his lines and corner to the beginning. The 2nd of which tracts is now in the hands of Wm. Woodard, and embraces that land described in deed of July 20th 1889 of Larkin Herndon and John B. Pennington to said W. C. Herndon and which is recorded in Deed Book No 25.-168.

Attest Mary Clerk

vs.

**SUBPENA
IN CHANCERY.**

.....p. q.

To.....Rules,

Circuit Court.

Executed Dec., 1893 by delivering an office copy of the within subpoena in chancery and attaching it to John P. Herndon, Larken Herndon, John C. Stapleton, Wm. Woolward and David P. Parsons and not executed as to W. C. Herndon also by attaching on the following real estate of W. C. Herndon described as follows: all of which lies in Lee Co., Va., in the Craborchard consisting of two tracts, the first of which is now in the hands of David P. Parsons and bounded as follows to wit: Beginning at a stake on the North bank of the North Fork of Powell's river at the mouth of Reed's creek; thence eastwardly with the meanderings of the said river to the McCradia line, thence N. 33 W. --- po to a gum 2 chestnuts and a spanish oak corner to A. J. Bailey's land, and with lines of same N. 24 W. 28 po, to a White oak and Chestnut, thence N. 35 W. 42 po, to 3 White oaks thence N. with Parker's line to Jones creek, and with said creek to Joseph Marcum's corner, thence Southwardly with said Marcum line to A. K. DeBusk's corner, thence with his several lines and corners to Alfred Johnson's land formerly Samuel Parson's land, thence with lines and corner of said Parson tract to James Quillen's land, thence with his lines and corner to Mathew Zion land, thence with his lines and corner to Lawsons land thence with his lines and corner to the beginning. The 2nd of which tracts is now in the hands of Wm. Woodard, and embraces that land described in deed of July 20th 1889 of Larkin Herndon and John B. Pennington to said W. C. Herndon and which is recorded in Deed No 25.-168.

In the clerks office of the circuit court
of the county of Lee on the 1st day of
January 1894.

Allen Stephenson & Co Plffs

against

W. C. Herndon et al Deft

In Chan'y.

The object of this suit is to 1st to set
aside and annul the deed of W. C. Herndon
and wife to David P. Parsons dated
March 14th 1893; 2nd to set aside and de-
clare void the deed made by W. C. Herndon
and wife to Wm. Woodard, dated
Nov'r 10th 1893. 3rd to annul the trans-
fer of goods and chattels made by W. C.
Herndon to John F. and Larkin Herndon
on or about Nov'r 10th 1893; and 4th
that a judgment be given in favor of the
plffs against the deft for the amount men-
tioned in the bill and the same to be sat-
isfied out of the said property thereby
conveyed.

And an affidavit having been made
and filed that the defendant W. C. Herndon
is not a resident of the State of Virginia
it is ordered that he do appear
here within fifteen days after due publi-
cation hereof and do what may be nec-
essary to protect his interest in this suit.
And it is further ordered that a copy
hereof be published once a week for four
weeks in the Lee County Republican
and that a copy be posted at the front
door of the court house of this county
on the first day of the next term of the
county court. A copy—Teste:

A. B. Munsey, Clerk.

Pennington Bros, p q

5-10

I, W. P. Dryden & Sons pub

isher of the LEE COUNTY REPUBLICAN
a weekly newspaper, published in the
town of Jonesville, county of Lee, and
State of Virginia, do hereby certify that
the foregoing Order of Publication was
duly published in the above named pa-
per for four successive weeks, ending the
1st day of Feb 1894.

for Sam L. Dryden
Publisher, LEE COUNTY REPUBLICAN